



PATENT

Case Docket No. SNAPA.024A
Date: September 23, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Ulrich et al.
Appl. No. : 10/060,908
Filed : January 29, 2002
For : REPLACING FILE
SYSTEM
PROCESSORS BY
HOT SWAPPING
Group Art Unit : 2189
Class/Sub-Class : 711-114000
Examiner : B. James Peikari

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 23, 2005

(Date)

John R. King
John R. King, Reg. No. 34,362

TRANSMITTAL LETTER

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

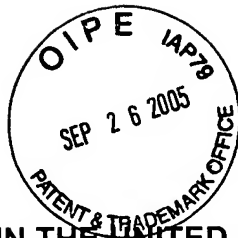
Dear Sir:

Enclosed for filing is the Issue Fee for the above-identified application:

- (X) Form PTOL-85.
- (X) Comments on Examiner's Statement of Reasons for Allowance in two (2) pages.
- (X) A check in the amount of \$1730 to cover the issue fee, publication fee, and advanced order of copies is enclosed.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

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Confirmation No.:	:	9465

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP – ISSUE FEE

Commissioner for Patents

P.O. Box 1450

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In the Statement of Reasons for Allowance accompanying the Notice of Allowance, dated June 29, 2005, Applicants note the following:

Examiner's Statement

The Examiner states that allowance of the independent claims (i.e., Claims 1 and 46) is based in part on the recited claim term "intent log" being limited to the following meaning:

The intent log tracks differences between metadata stored in memory (e.g., metadata in metadata cache) and metadata stored on disk The Intent Log Entry documents the intention to update both the version of the metadata stored on disk array 140 and any mirrored version(s) of the metadata on other server nodes 151 of the cluster 160. The Intent Log provides protection against inconsistencies resulting from a power loss before or during an update.

Applicants' Comments

To the extent that there is any implication that the patentability of either of the independent claims (i.e., Claims 1 and 46) rests on the meaning of "intent log" being

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limited to the description above, Applicants respectfully disagree with the Examiner's Statement. Rather, Applicants respectfully submit that the meaning of "intent log" should include its ordinary meaning as known by one with ordinary skill in the relevant art. Accordingly, Applicants submit that Claims 1 and 46 of the present application are allowable because Claims 1 and 46 each recite a combination of features that is not taught or suggested by the prior art.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 9-23-05

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